

10/547065

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 05-693)

In re Application of:

McEvoy et al.

U.S. Serial No.: 10/547,065

Filing Date: August 25, 2005

International Serial No.: PCT/IE04/000028

International Filing Date: February 27, 2004

For: Optical CO<sub>2</sub> and Combined  
O<sub>2</sub>/CO<sub>2</sub> Sensors

Examiner: TBD

Group Art Unit: TBD

Confirmation No. 6140

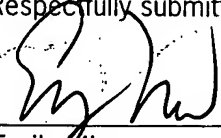
**TRANSMITTAL LETTER**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

- In regard to the above identified application,
1. We are transmitting herewith the attached:
    - a) Response to Notice to File Missing Requirements;
    - b) Copy of Notice to File Missing Requirements dated 12/12/05;
    - c) Declaration and Power of Attorney; and
    - d) Return receipt postcard.
  2. With respect to fees:
    - a) No payment is enclosed.
    - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
  3. **CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited in the United States Postal Service, as Express mail, mailing number EV596651018US in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this 6<sup>th</sup> day of February, 2006.

Respectfully submitted,

  
Emily Miao  
Registration No. 35,285

Date: February 6, 2006

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive, Suite 3200  
Chicago, IL 60606  
Telephone: 312-913-0001  
Facsimile: 312-913-0002

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For: Optical CO <sub>2</sub> and Combined	)	
O <sub>2</sub> /CO <sub>2</sub> Sensors	)	

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

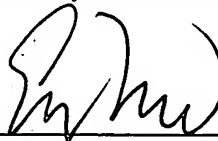
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

This is in response to the Notice to file missing parts dated December 12, 2005. An executed Declaration by co-inventors Aisling McEvoy, Brian MacCraith, Colette McDonagh, and Christoph Von Bültzingslöwen (deceased), and copy of the Notice is attached. The legal representative, Olive Von Bültzingslöwen, has signed on behalf of co-inventor Von Bültzingslöwen.

Prompt consideration and entry of this response is respectfully requested. The Commission is authorized to deduct any fees related to this response from Deposit Account No. 13-2490.

Respectfully submitted,



Date: February 6, 2006

Emily Miao  
Registration No. 35,285

**McDonnell Boehnen Hulbert & Berghoff LLP**  
300 South Wacker Drive, Suite 3200  
Chicago, IL 60606  
Telephone: 312-913-0001  
Facsimile: 312-913-0002



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/547,065	Aisling McEvoy	05-693

20306  
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INTERNATIONAL APPLICATION NO.	
PCT/IE04/00028	
I.A. FILING DATE	PRIORITY DATE
02/27/2004	02/28/2003

CONFIRMATION NO. 6140  
 371 FORMALITIES LETTER



\*OC000000017620946\*

Date Mailed: 12/12/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/25/2005
- Copy of the International Search Report filed on 08/25/2005
- Copy of IPE Report filed on 08/25/2005
- Preliminary Amendments filed on 08/25/2005
- Information Disclosure Statements filed on 08/25/2005
- U.S. Basic National Fees filed on 08/25/2005
- Priority Documents filed on 08/25/2005

**DOCKETED**

DEC 18 2005

DUE DATE: 2-12-06  
 BY:

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/547,065	PCT/IE04/00028	05-693

FORM PCT/DO/EO/905 (371 Formalities Notice)